IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

TUESDAY, THE 21ST NOVEMBER 2006 / 30TH KARTHIKA 1928

Tr.P(C).No. 207 of 2006()

AGAINST THE ORDER IN OP No.428/06 of FamilyCourt, Alappuzha, OP 164/04 and MC 26/04 and OP .411/2006 of Family Court, Ernakulam.

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PETITIONER

SONIA, W/O.DONAL, AGED 30,
HOUSE NO.32/131, EAST, THAMMANAM,
ERNAKULAM DISTRICT.

BY ADV. SRI.K.K.VIJAYAKUMAR
SRI.P.V.BIJUMON

RESPONDENTS:

DONAL, S/O.VINCENT, AGED 38,
KAYAL CHIRAYIL HOUSE, THATTAMPILLY WARD P.O.,
ALAPPUZHA.

BY ADV. SRI.G.PRIYADARSAN THAMPI

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.Sasidharan Nambiar, J.

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T.R.P.(C)No.207 of 2006

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Dated this the 21st day of November, 2006.

ORDER

Petitioner is the wife of respondent. This petition is filed to transfer O.P.No.428 of 2006 pending before Family Court, Alappuzha to Family Court, Ernakulam. Case of the petitioner is that respondent has originally filed a case as O.P.No.1441 of 2004, which was dismissed as not pressed and thereafter, O.P.No.1329 of 2005 was filed before Family Court, Alappuzha, which was transferred by this Court as per order dated 13.3.2006 in Tr.P.(C) No.33 of 2006 and thereafter, O.P.No.428 of 2006 was filed before Family Court, Alappuzha and as the petitioner is residing at Ernakulam, it is not possible for her to travel to Alappuzha as she has no financial capacity to meet the expenses and so the case may be transferred to Family Court, Ernakulam. Though notice was sent to the respondent, he did not appear or object to the transfer.

2. In such circumstances, considering the fact that another case between the parties was transferred by this Court to Family Court, Ernakulam, and the

difficulties expressed by his wife, this petition is allowed and O.P.No.428 of 2006 pending before Family Court, Alappuzha is withdrawn and transferred to Family Court, Ernakulam for disposal in accordance with law.

Transfer petition is allowed.

M.Sasidharan Nambiar,
Judge.

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M.Sasidharan Nambiar, J.

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T.R.P.(C) 207 of 2006

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ORDER

21st November, 2006.